REMARKS

Status of the Claims

Claims 1, 4, 5, 7-9, 11, 14, 15, 19, 21 are now present in this application. Claims 1 and 11 are independent.

Claims 6 and 16 have been canceled and claims 1 and 11 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Request for Entry of Response After Final Rejection

This response should be entered after final rejection because claims 1 and 11 have been amended to incorporate subject matter of dependent claims 6 and 16, respectively.

In the event that this response does not place this application into condition for allowance, the Examiner is requested to enter this response because it places the application into better condition for appeal.

Rejections under 35 U.S.C. § 103

Claims 1, 4, 5, and 7-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,418,129 (Fingerhut) in view of U.S. Application Publication 2002/0062467 (Hunzinger).

Further, claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fingerhut and Hunzinger, and further in view of U.S. Patent 7,139,014 (Kim).

These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

Claims 1, 4-9

The present invention relates to a digital broadcasting protocol being adapted to an environment such as an apartment building or household in which a communications connection is establish by broadcasting a connection request. The digital broadcasting protocol includes steps for establishing a communication connection including broadcasting a connection request command that requests a connection with a base device, receiving one set of identification data

in response to the connection request command, so as to establish a connection with a base device that is indicated by the thus received, first incoming set of identification data.

The present invention further involves a condition in which a user desires, or assumes, a connection between the wireless terminal and a particular base device. However, because an initial communications connection is established by broadcasting a request command, the user is unable to control which base device communications is to be established in the case that there are several base devices in communications range of the wireless terminal, and the user is typically not made aware of the base device with which communication is established.

Subsequently, unknown to the user of the terminal device, a communications connection may be established with an undesired base device. Instead, the wireless terminal and base device will operate under the assumption that a wireless connection has been successfully established.

The present invention provides a user of a wireless terminal with information necessary to establish a connection with a specific base device in an environment in which a communications connection is established by broadcasting.

In particular, after the wireless connection is established, the wireless terminal causes a display section to perform on screen display (OSD) of the identification data of the wireless center with which the wireless connection is established (S516). (specification at page 39, paragraph beginning "in this embodiment...").

In an alternative embodiment (Fig. 10), the user can check whether the wireless terminal is wirelessly connected to the desired base device by pressing a connection confirmation button which causes the wireless terminal and base device to transit into connection confirmation mode (steps S605, S616). If a predetermined time has passed without obtaining a connection confirmation command, the wireless terminal warns the user if the connection confirmation command has not been obtained.

Differences over Fingerhut and Hunzinger

The Examiner asserts that Fingerhut teaches that a user of a wireless device makes an activation request, by transmitting an Activation Request Packet (ARP) requesting to be connected with a specific base station (Field 26 in Figure 3) in a desired coverage area. Applicant disagrees.

According to Fingerhut, a wireless communication device establishes contact with a wireless subscription network. The scanning circuit 6, which is preprogrammed initiates a search for a usable communication channel of the network (Fingerhut at col. 4, lines 27-32). During an initiation sequence, the initial request for activation of the device 5 from the network 12 is formed via the Activation-Request Packet (ARP) generated by an application program. (col. 4, lines 37-41). The ARP is sent from the device to the network. The ARP includes a field 26 for identifying information of the base station 10 that received the ARP from the device 5. (Col. 5, lines 6-8). In particular, when the ARP is transmitted by the device via the modem to network 12, the base station 10 which receives the ARP 7 inserts a node number (e.g., routing information) into field 25 and optionally inserts a node number and base station number into fields 25 and 26, correspondingly. (col. 5, lines 19-24).

Applicant submits that Fingerhut discloses that communication between wireless communication device 5 and network 12 is initiated by a scanning circuit 6 that searches for a control signal from a nearest base station in the wireless network (col. 4, lines 7-9). After communication with the network is established, an ARP received from the communication device by the base station is inserted with an optional base station number in field 26. Thus, Applicant submits that the ARP does not include a request for connection with a specific base station, as alleged in the Office Action. Rather Fingerhut discloses that the wireless device 5 scans for a nearest base station. Applicant submits that in order to scan for a nearest base station, the communication device must ascertain from among signals received from more than one base station, which base station is the closest base station.

To the contrary, claim 1 requires "connection establishing means for, when there are two or more base devices in a communications range of the wireless terminal, receiving only a first incoming one set of identification data from among sets of identification data, being transmitted from said two or more base devices in response to the connection request command."

Applicant submits that in the communications system of Fingerhut, when there are two or more base devices in communications range of the communication device 5, identification data from each base station will be received in order to determine which base station is the closest base station.

Furthermore, claim 1 had recited "connection counterpart notifying means for notifying, based on the first incoming set of identification data, a user of the base device to which the wireless terminal is currently connected."

As admitted by the Examiner, Fingerhut fails to disclose the claimed connection counterpart notifying means. Instead, the Examiner alleges that Hunzinger teaches the claimed connection counterpart notifying means. Instead, the Examiner asserts that Hunzinger discloses that after receiving a C-ACK message, video or audio content is transmitted within the D-ACK message from the gateway that is displayed or manifested when received at the mobile phone.

With respect to the D-ACK message, Hunzinger discloses that the gateway device or content provider may issue a display acknowledgment (D-ACK) to the mobile device (para. 0006). Hunzinger further discloses that upon receipt of the C-ACK from the mobile device, a network component may issue a display acknowledgment (D-ACK). Hunzinger states: "The mobile device may not display or otherwise manifest the delivered content (e.g., audio output) until the D-ACK is received (block 220)."

Thus, Applicant submits that the Examiner's statement "within the D-ACK message" is a misstatement of the actual teachings of Hunzinger. Applicant submits that Hunzinger does not disclose video or audio content that is transmitted within the D-ACK message. Applicant submits that Hunzinger does not disclose display of the D-ACK message. Rather, Hunzinger discloses that the mobile device may not display or other wise manifest the delivered content until the D-ACK is received. Furthermore, Applicant submits that this statement implies that only content is displayed, not the D-ACK message (see block 220 in Fig. 2B).

For at least these reasons, Applicant submits that Hunzinger fails to make up for the deficiency in Fingerhut, as neither reference teaches at least the claimed "connection counterpart notifying means for notifying, based on the first incoming set of identification data, a user of the base device to which the wireless terminal is currently connected."

In any case, Applicant has amended claim 1 to include the features recited in formed claim 6 in order to move the application forward.

Differences over Kim

With respect to the subject matter of claim 6, the Examiner admits that Fingerhut in view of Hunzinger does not teach the features recited in claim 6. Instead, the Examiner alleges that

Kim teaches the claimed connection counterpart notifying means displaying the identification data on the display section in an OSD manner, and in particular that Kim discloses a portable terminal that displays video information in an OSD manner.

Applicant submits that even if it may be said that Kim teaches display of video information in an OSD manner, it still fails to make up for the deficiency in Fingerhut and Hunzinger of failing to teach the claimed "connection counterpart notifying means displaying the identification data of the connected base device on the display section in an OSD manner," when considered in the context of the claim as a whole. In particular, Applicant submits that Kim also fails to teach displaying the identification data of the base device to which the wireless terminal is currently connected.

Applicant submits that Kim merely discloses a portable phone controller that controls an OSD of the interface unit to display desired characters or a background image on the display 8. The claim, on the other hand, requires displaying of identification data of the connected base device on the display section in an OSD manner. According to claim 1, the connection counterpart notifying means is in conjunction with the connection establishing means, per the recitation "displaying the identification data of the connected base device."

Applicant submits that Fingerhut, Hunzinger, and Kim, either alone or in combination, fail to disclose the features recited in the claim as a whole, including notifying a user of identification data of the base device to which the wireless terminal is currently connected, via display on a display section in an OSD manner, as recited in claim 1.

With regard to dependent claims 4, 5, and 7-9, Applicants submit that claims 4, 5, 7-9 depend, either directly or indirectly, from independent claim 1 which is allowable for the reasons set forth above, and therefore claims 4, 5, 7-9 are allowable based on their dependence from claim 1.

Reconsideration and allowance thereof are respectfully requested.

Claims 11, 14, 15, 16, 19, 21

Claims 11, 14, 15, 19, and 21 astand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fingerhut and Hunzinger, and further in view of U.S. Patent 6,920,479 (McDowall).

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fingerhut and Hunzinger, in view of McDowall, and further in view of Kim.

Claim 11 has been amended to include subject matter from claim 16. Applicant submits that arguments in the above for claim 1 apply as well for at least the features recited in claim 11 that are common to those in claim 1. For at least the reasons above for claim 1, Applicant submits that the rejection fails to establish *prima facie* obviousness.

Differences over McDowall

McDowall discloses an internet-based device for receiving radio broadcasts. The Examiner relies on McDowall for teaching the claimed "warning means." McDowall teaches the provision of an indication whenever the user has tuned to a station that is inoperative. In particular, McDowall discloses that should connection fail to be completed, or fail after it is established, the overall system can impose static on the audio output, which effectively informs the user that the chosen connection has failed (col. 12, lines 11-25).

In the present invention, a warning means warns the user if the connection confirmation means does not obtain the connection confirmation command within a predetermined time after the transition to the connection confirmation mode. Transition to the connection confirmation mode is based on input of an instruction from a user, and after transition to the confirmation mode, the connection confirmation means obtains a connection confirmation command from a base device.

Applicant submits that although McDowall teaches connection confirmation of a station, it does not teach warning a user, based on a user's instruction that a connection confirmation command is not obtained from a base device. Applicant notes that McDowall's "station" constitutes a channel, not a base station as in Fingerhut.

At least for these additional reasons, Applicant submits that the rejection fails to establish *prima facie* obviousness and should be reconsidered and withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Should there by an outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact **Robert Downs**, Registration No. 48,222 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

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Respectfully submitted,

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